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10/701,494	11/06/2003	Jae-Won Lee	033808-006	7628
21839	7590	01/14/2009	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			BORSETTI, GREG	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			2626	
NOTIFICATION DATE		DELIVERY MODE		
01/14/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/701,494

Applicant(s)

LEE ET AL.

Examiner

GREG A. BORSETTI

Art Unit

2626

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

THE REPLY FILED 23 December 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) The period for reply expires 3 months from the mailing date of the final rejection.
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) They raise new issues that would require further consideration and/or search (see NOTE below);
(b) They raise the issue of new matter (see NOTE below);
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. Applicant's reply has overcome the following rejection(s): _____.

6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fail to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. Other: _____

1/8/2009

/Talivaldis Ivars Smits/
Primary Examiner, Art Unit 2626

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues "it is not clear how this provides a basis for concluding that Nagai teaches the aforementioned feature.(Remarks, Page 4, 1)" The examiner respectfully disagrees. For further clarification, the examiner points to column 5, lines 1-33, ...means for registering and holding a receiver contact condition containing at least two requisites among the requisites consisting of propriety of contact... The CTI system executes basic telephone actions by CTI control functions (registering and holding a receiver, i.e. establishing/holding a connection between two parties).

Applicant further argues "The Applicant discloses that a job unit comprises a sequence of CTI functions and operates such that basic telephone actions can be made with only one job request without individually and repeatedly calling the CTI control functions...The Patent Office cannot simply ignore Applicant's explicit definition of the term "job unit". The examiner respectfully disagrees. The specification, Page 7, lines 15-18, clearly states "in the present invention, the job can be understood as a sequence of CTI control functions configured to perform the basic telephone actions." The additional advantage of having only one job request without individually and repeatedly calling the CTI control functions is not inherent within the term "job unit" as it is later described as being configured in a certain way (Specification, Page 7, lines 26-29). Therefore the examiner contends that Nagai teaches the broader definition and Applicant's argued subject matter does not pertain to claim 1. The subject matter argued by Applicant is present in added claims 10 and 11 which were rejected under a 103(a) rejection with Nagai in combination with Henderson.

Applicant further argues "the claimed feature requires that the action be an action controlled in accordance with a predetermined interpretation scenario that includes a current state conversion action selected according to a current state and in response to the event generated in the CTI module, and a basic telephone action to be executed at a next state. (Remarks, pages 4-5, 5 - 1)" The examiner respectfully disagrees and further directs applicant to Fig. 10. There is an action controlled in accordance with a predetermined interpretation scenario that includes a current state conversion action (1004 or 1005 is chosen by 1003) selected according to a current state (1002) and in response to the event generated in the CTI module (1001, the CTI event would not be generated unless something needed to be routed) and a basic telephone action to be executed at a next state (if source/receiver is determined to be telephone, no media conversion is necessary, thus perform basic telephone actions as necessary at next state). The argument is not persuasive.

Applicant further argues "as noted above, the coincident contact adjustment state is a valid/invalid indicator. It is not an action according...is generally meant to be a thing done. (Remarks, Page 6, 3)" The examiner respectfully disagrees. The rejection clearly states "based on the coincident contact adjustment state (current state conversion action)", which clearly refers to the action of converting (Fig. 10, the choosing of 1004 or 1005 based on 1002 through the query 1003). The argument is not persuasive.

Applicant further argues "The assertion provided by the Patent Office excludes a representation for "in response to the event generated in the CTI module" ... (Remarks, Page 6, 4)" The examiner disagrees. As is stated above, shown in Fig. 10 (1001), and stated in the rejection, a detection of a transmission generates a routing event for the CTI server. The detection and presence of the transmission (Fig. 10, 1001) affects the validity of the contact adjustment (Fig. 10, 1003). This teaches that the action is in response to the event generated in the CTI module. The argument is not persuasive.

Applicant further argues "The contact reception-environment does not include the contact state adjustment information; these are two separate elements. As noted above, Nagai irrefutably describes the system execution management program specifying the coincident contact adjustment state. (Remarks, Page 7, 2)" As noted in the rejection and column 18, lines 1-8, the user contact database 304 is generated by the contact manager program 312. The user contact database 304 is used by the system execution management program 317 to specify the coincident contact adjustment state. The reference must be treated as a whole and Nagai teaches the claim language.

Applicant further argues "The reasoning provided by the Patent Office regarding the claimed feature, "a state conversion section for converting the current state into the next state in response to the current state conversion action selected by the interpretation scenario management section, as recited in claim 1, is unsubstantiated by the disclosure of Nagai. There is no support in Nagai for teaching the aforementioned feature. (Remarks, Page 7, 3)" The examiner disagrees and again refers to Fig. 10. The interpretation scenario management section (system execution management section executing coincident contact adjustment state based on the user contact database generated by the contact manager program) specifies the contact adjustment state which determines the action (1003) for the next state (1004 or 1005) based on the predetermined interpretation scenario (1002). The argument is not persuasive. .